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Mellon f/k/a The Bank of New York as Trustee For  
The Certificateholders of The CWALT, Inc,  
Alternative Loan Trust 2006-23CB, Mortgage Pass-  
Through Certificates, Series 2006-23CB*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

THE BANK OF NEW YORK MELLON FKA  
THE BANK OF NEW YORK AS TRUSTEE  
FOR THE CERTIFICATEHOLDERS OF THE  
CWALT, INC., ALTERNATIVE LOAN  
TRUST 2006-23CB, MORTGAGE PASS-  
THROUGH CERTIFICATES, SERIES 2006-  
23CB,

Plaintiff,

vs.

THE VININGS HOMEOWNERS  
ASSOCIATION; RED ROCK FINANCIAL  
SERVICES, LLC, SFR INVESTMENTS  
POOL 1, LLC,

Defendants.

Case No.: 2:17-cv-01804-JCM-CWH

**STIPULATION AND ORDER TO EXTEND  
DISCOVERY DEADLINES**

[FIRST REQUEST]

The Bank of New York Mellon f/k/a The Bank of New York as Trustee For The Certificateholders of The CWALT, Inc, Alternative Loan Trust 2006-23CB, Mortgage Pass-Through Certificates, Series 2006-23CB (**BoNYM**), Red Rock Financial Services, LLC (**Red Rock**), and SFR Investments Pool 1, LLC<sup>1</sup> (**SFR**) by and through their respective counsel of record, and hereby jointly submit this Stipulation and Order to Extend Discovery Deadlines (First Request) pursuant to

<sup>1</sup> The Vinings Homeowners Association has not appeared in the case. ECF No. 25.

1 LR IA 6-1 and LR 26-4. This is the first stipulation to extend the discovery deadlines set by the  
2 Scheduling Order (ECF No. 28) entered by the Court on November 1, 2017.

3 **A. STATEMENT SPECIFYING THE DISCOVERY COMPLETED**

4 **1. Rule 26 Disclosures**

5 BoNYM served its Initial Disclosures on November 6, 2017.

6 BoNYM served its First Supplement to Initial Disclosures on November 14, 2017.

7 SFR served its Initial Disclosures on December 7, 2017.

8 Red Rock served its Initial Disclosures on December 11, 2017.

9 BoNYM served its Second Supplement to Initial Disclosures on December 28, 2017.

10 BoNYM served its Initial Expert Disclosures on February 22, 2018.

11 **2. Written Discovery**

12 BoNYM served its first set of interrogatories, requests for admissions and requests for  
13 production of documents to Red Rock on November 7, 2017.

14 Plaintiff BoNYM served its first set of interrogatories, requests for admissions and requests  
15 for production of documents to SFR on November 10, 2017.

16 Red Rock served its responses to requests for production of documents, response to requests  
17 for admission and answers to interrogatories on December 11, 2017.

18 SFR served its responses to requests for admission, responses to requests for production of  
19 documents, and answers to interrogatories on December 14, 2017.

20 SFR served its first set of requests for admission, requests for production, and interrogatories  
21 to BoNYM on March 12, 2018.

22 BoNYM served a Subpoena Duces Tecum upon the HOA.

23 BoNYM served a Subpoena Duces Tecum upon the Noesis Estate Management.

24 **3. Depositions**

25 BoNYM attempted to depose the 30(b)(6) witness for The Vining Homeowners Association  
26 on January 18, 2018, the witness did not appear.

27 BoNYM deposed Julia Thompson 30(b)(6) witness for Red Rock on January 18, 2018.

SFR noticed the deposition of BoNYM for April 2, 2018.

**B. STATEMENT OF DISCOVERY REMAINING TO BE COMPLETED**

SFR's deposition of BoNYM, BoNYM's responses to SFR's written discovery and BoNYM's deposition of the HOA. The parties reserve the right to conduct any additional discovery.

**C. REASONS WHY AN EXTENSION IS REQUIRED**

The parties request an extension of discovery to accommodate the scheduling of SFR's deposition of BoNYM. Given counsel and witness availability, the parties anticipate scheduling BoNYM's deposition in late April or early May 2018.

**D. PROPOSED SCHEDULE FOR ALL REMAINING DISCOVERY**

	<u>Current Deadline</u>	<u>Proposed Deadline</u>
Discovery Cut-Off:	April 23, 2018	May 30, 2018
Dispositive Motions Deadline:	May 23, 2018	June 29, 2018
Pretrial Order Deadline:	June 22, 2018	July 30, 2018

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**D. CURRENT TRIAL DATE**

The court **has not** yet set a trial date.

Based on the foregoing, the parties respectfully request the court extend the remaining discovery deadlines as requested above.

The parties make this request in good faith and believe good cause exists for extending these deadlines.

Dated: March 30, 2018

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**ORDER**

**IT IS SO ORDERED.**

  
 UNITED STATES MAGISTRATE JUDGE

DATED: April 4, 2018